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Attorneys for Defendants
CITY OF SAN LEANDRO and
CHIEF JOSEPH KITCHEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIONEL N. ALLEN; RALPH P. DAVIS;
MICHAEL OATEZ; MONICA OATEZ;
M.O., a minor, by and through her guardian ad
litem, MICHAEL OATEZ; MICHAEL A.
FLEURY; and, JOHNNY D. STOKES,

Plaintiffs,

v.

CITY OF SOUTH SAN FRANCISCO, a
municipal corporation; JOSEPH KITCHEN,
in his capacity as Chief of Police for CITY OF
SAN LEANDRO; and, DOES 1-25, inclusive,
individually, and in their capacity as San
Leandro police officers,

Defendants.

Case No: C07-03509 PJH

**PARTIES' STIPULATION AND [Proposed]
ORDER ALLOWING PLAINTIFFS TO
FILE A FIRST AMENDED COMPLAINT**

Complaint Filed: July 5, 2007

1 THE PARTIES HEREBY STIPLATE TO THE FOLLOWING:

2 Plaintiffs will be filing a First Amended Complaint within the next thirty days. As such, the
3 Defendants will not be filing a responsive pleading to the Complaint currently on file, but will file a
4 responsive pleading to the First Amended Complaint.

5
6 Dated: November 27, 2007

Respectfully submitted,

7 LAW OFFICES OF GAYLA B. LIBET

8
9 By: _____/s/

10 Gayla B. Libet
11 Attorneys for Plaintiffs
12 LIONEL ALLEN, RALPH DAVIS, MICHAEL OATEZ,
MONICA OATEZ, M.O., MICHAEL FLEURY and
JOHNNY STOKES

13 Dated: November 27, 2007

Respectfully submitted,

14 MEYERS, NAVE, RIBACK, SILVER & WILSON

15
16 By: _____/s/

17 Tricia L. Hynes
18 Attorneys for Defendants
19 CITY OF SAN LEANDRO and
CHIEF JOSEPH KITCHEN

20 IT IS SO ORDERED:

21 Dated: 11/29/07
22 _____

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24
25 HONORABLE JUDGE, UNITED STATES DISTRICT COURT
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27
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IT IS SO ORDERED

Phyllis J. Hamilton
Judge Phyllis J. Hamilton

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